

TEMPORARY RESTRAINING ORDERS (TRO'S) AND INJUNCTIONS

Note: Absent a court order, there is no limit to the number of pickets that may be present.

However, pickets must demonstrate in a lawful manner.

TRO's and injunctions are usually issued in response to picket line misconduct or acts constituting an unfair labor practice.

TRO's generally act to:

- Limit the number of pickets.
- Restrict picketing in specific areas.
- Specify areas where the balance of non-picketing strikers may congregate.
- Forbid unlawful acts (which are already covered under the laws we enforce).

Court Order violations can be enforced by:

- Contempt of court proceedings (civil action).
- Enforcement of Penal Code Section 166.4. Which states: Willful disobedience of any process or order awfully issued by a court is a misdemeanor.

ENFORCEMENT OF COURT ORDERS

Deputies shall continue to enforce violations of Penal Code, etc., according to standard Departmental procedures.

Trespassing (602 P.C.) provisions are clouded by labor law. Deputies should consult with their supervisor and call Industrial Relations Detail before enforcing trespass violations (Refer 552.1 and 555.2 P.C.).

When presented with a court order, deputies shall, prior to taking action:

- Consult with their supervisor and representative of the Labor Relations Unit by telephone to determine the validity of the order and identify the appropriate course(s) of action.

Standard Departmental private persons arrest procedures shall be followed.

STATUTE REFERENCE LIST

PENAL CODE

69	404.6	594
148	405a	647c
148.1	406	647f
240	407	653m
242	409	16590
243b	415	25400
245	452	25850
403	588a	12303.1
404	588b	

166.4 Willful disobedience of any process or order lawfully Issued by any court is a misdemeanor.

602 Trespassing (Note 522.1 and 555.2 exempt lawful union activities).

12590 Prohibited acts while picketing.

VEHICLE CODE

20002A	23152a/b
23220	21950b
23110a	23222
21954a	23110b
23223	21955
23112b	23224

21701 Interference with Driver (covering windshield with picket sign).

L.A. COUNTY ORDINANCE

11895 Demonstration Equipment Prohibited (limits picket sign handle to 1/2" x 2" diameter, 3/4" if round.



Los Angeles County
Sheriff's Department

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

**ALEX VILLANUEVA
SHERIFF**



LABOR DISPUTES

**Emergency Operations Bureau
Labor Relations Unit
1275 N. Eastern Ave.
Los Angeles CA. 90063
(323) 980-2211
(213) 508-4816
Pager**



LABOR DISPUTES

DEPARTMENTAL OBJECTIVES

Protect life and property.

- * All laws and ordinances remain in force

Enforce laws fairly and impartially

- * Remain totally objective towards the dispute

Protect the rights of all citizens

- * Labor may demonstrate or picket lawfully
- * Management may continue to function
- * The general public retains the right to patronize the business without interruption

PATROL DEPUTIES

Establish contact with both labor and management.

- * Labor: Business agent– shop steward-picket captain
- * Management: Manager– supervisor - security

Explain law enforcement duties.

- * Describe the status of negotiations and areas of conflict.
- * Ascertain management's intent regarding continuing operations
- * Notify the Labor Relations Detail (323) 980-2211 or (323) 980-2101 after 1700 hrs.

Make our Department policies clear to both labor and management.

- * Unlawful acts will not be tolerated
- * Vehicles and pedestrians may enter and exit premises without unreasonable delay

Convey to labor and management leaders their responsibilities to control the actions of their subordinates.

- * Hazardous conditions shall be removed
- * Dangerous actions shall cease

Do not allow the use of alcohol on the picket line.

- * When practical, a warning should precede enforcement actions
- * Seek the assistance of supervising union and management personnel

Patrol personnel shall not escort, direct or physically assist vehicles to or from the premises.

- * Consult with the Labor Relations Unit personnel on technical questions including: Trespassing, hand billing, and union business agent activities on the facility.

Crimes shall be reported and processed in accordance with standard Departmental procedures obtaining an original file number.

- * Notify the Labor Relations Unit immediately by telephone when serious crimes are reported and when arrests are made.

Non-criminal Strike related activities shall be reported on the supplemental report form using the original strike file number.

Acceptance of part time employment by deputies with either party constitutes a conflict of interest and is expressly prohibited (3-01/060.25 and .30).

DIRECTIONS TO LABOR

If law enforcement is needed at the strike location, call your (local) Sheriff's Station.

- * The "911" system is reserved for emergencies only

Designate someone to be in charge of the picket line

- * Business agent-shop steward-picket captain

Anyone desiring to enter/exit the premises must be allowed to do so without unreasonable delay.

- * Vehicles may not be blocked

When feasible, management or union officials will be given an opportunity to remove persons who are disruptive, drinking, or under the influence.

- * All applicable laws will be enforced

Discourage inappropriate people (family-friends-children from participating in any part of the labor dispute. Picket signs shall not resemble weapons.

- * Sharpened points or attached objects that could be used as weapons are not allowed.
- * Utilize lightweight grapestake wood (Reference Co. Ord. #11895).

For specific advice regarding activities regulated by labor law seek legal counsel.

DIRECTIONS TO MANAGEMENT

If labor dispute activities dictate the need for law enforcement intervention, call your (local) Sheriff's Station.

- * The "911" system is reserved for emergencies only

Remind employees to take extreme care driving or walking through the picket line to avoid injuries to all parties.

- * Avoid verbal and physical confrontations

Protect vulnerable and hazardous areas.

- * They should remain on the property and avoid confrontations with pickets
- * They should refrain from engaging in intimidating behavior
- * Discourage the carrying of firearms

All vehicles driven through a picket line, must yield the right of way to pickets, as they would to any pedestrian.

Remove any employees who are difficult to control.

The Sheriff's Department does not function as a private security service.

For specific advice regarding activities regulated by labor law seek legal counsel.